



PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | June St. Clair Atkinson, Ed.D., *State Superintendent*

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TO: Directors, Exceptional Children Programs

FROM: Mary N. Watson, Director *MNW*
Exceptional Children Division

John R. Pruette, Executive Director
Office of Early Learning *JRP*

DATE: August 2, 2010

NEW PRESCHOOL LEAST RESTRICTIVE ENVIRONMENT (LRE) SETTINGS

The United States Department of Education, Office of Special Education Programs (OSEP), announced the **new** preschool educational settings. LEAs are expected to train their staff and exercise one of the options for reporting the new settings on the December 1, 2010 child count.

The definition of a Regular Early Childhood Program (RECP) class remains the same as the current definition where at least 50% of children enrolled in a class are nondisabled and do not have an Individualized Education Program (IEP). A Special Education Program (Separate) class includes less than 50 percent nondisabled children (i.e., children not on IEPs).

If a class composition changes categories from RECP to Separate during the course of the school year, then IEPs need to reflect the change at the next annual review.

As in the past, IEP teams must ask parents to provide them with information about other programs the child attends and for the duration of time he/she attends them in order to determine the appropriate IEP setting.

IEP teams will need to follow the attached decision tree to determine which of the following nine (9) preschool settings is appropriate:

- RECP setting at least 10 hours a week, special education and related service instruction received in the RECP program,
- RECP setting at least 10 hours a week, special education and related service instruction received in some other location,
- RECP setting less than 10 hours a week, special education and related service instruction received in the RECP program,
- RECP setting less than 10 hours a week, special education and related service instruction received in some other location,
- Separate, Special Education Class,
- Separate School,
- Separate, Residential Facility,
- Home, or
- Service Provider Location.

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Services that are considered to be “in the regular early childhood program” are those that occur in the class the majority of the time. While occasional pull-out sessions may be necessary, the majority of specialized instruction is conducted in a collaborative manner with the teaching staff. In the event that a child receives some of the specialized instruction in the Regular Early Childhood Program and some in another location, IEP teams must determine where the “majority” of special education and related services are provided.

For a child who receives services at a separate location, but also attends a regular early childhood program, the decision will be the RECP setting for the appropriate number of hours. However, if the child receives services at a separate location, and does not attend either a regular early childhood program or a special education program, then the Service Provider Location setting would be appropriate.

LEAs that have held IEP meetings for students being served in the 2010-11 school year have two options for implementing the new requirements.

- Option one allows LEAs to keep the current IEP as is and choose the appropriate code for each student during child count. CECAS will produce a technical manual data error upon submission of count data and require LEAs to select the appropriate new code.
- Option two is for LEAs to hold a meeting to amend the current IEP. LEAs exercising this option must complete the process by November 8, 2010.

The current LRE codes RECP less than 40% of the time (age 3-5), RECP 40-79% of time (Age 3-5) and RECP 80% or more of time (Age 3-5) will be made inactive in CECAS as of September 1, 2010. This means that there will no longer be an option to select these codes in the plan or the IEP DEC 4 form.

If you have any questions regarding this CECAS entry, please contact the NCDPI Help Desk at (919) 807-4357 and press option 2 for CECAS assistance. You may also email the help desk at cecas.incidents@its.nc.gov. If you have questions about definitions, programming, and process for determining the preschool settings, please contact Dr. Vivian James (919-218-8384) at Vivian.james@ncpublicschools.gov or Dr. Norman Allard (919-807-3691) at norman.allard@ncpublicschools.gov.

MNW/VKJ/KIS:vkj

Attachment

c Cindy Bagwell
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EC Delivery Team

Decision Tree for Coding Educational Environments

Table 3 - Child Count

